

January 10, 2005
Seven o'clock P.M.
Council Chambers, City Hall
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, January 10, 2005, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: MARTIN GIPSON, NEIL BRYANT, LINDA ROBINSON, OLEN THOMAS, GARY BERRY, JOHN PARKER, CHARLIE HIGHT and MURRY WITCHER, a quorum was declared (8/0). City Clerk Diane Whitbey was also present.

The invocation was given by Alderman Thomas, followed by the pledge of allegiance to the flag which was led by Alderwoman Robinson.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the minutes from a regular council meeting held on Monday, December 27, 2004, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, communications #1, 2, 4 and 5 were not read but accepted and filed (8/0).

1. US Mail - Petition requesting a Speed Hump, circulated by David Farnsworth at the intersection of Locust/High Hill/Vice (20 signatures).
2. Sharon Tedford, Mayor's Office memorandum re: application for new restaurant mixed drink license for Mr. Jody's BBL, 3128 Percy Machin Drive, requested by Maurice Eugene Fields, III.
4. Mr. Jim Dancy, retired North Little Rock Fire Department Captain letter commending Fire Department for their skills and training and assistance during a recent emergency.
5. Charlotte Thomas, Mayor's Office letter from Jerry and Pat Higginbotham, 107 Dexter Avenue, Ralph and Judy Serection, 117 Dexter, Anna Cowsert, 121 Dexter, and Randy Shelton, 125 Dexter, appreciation for sidewalks and courteous workers during installation.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, communication #3 was read, accepted and filed (8/0).

3. Paul Suskie, City Attorney letter to Mayor Hays and City Council members regarding Certificate of Appointment of City Attorney Duties Due to Activation for Military Duty Pursuant to Act 247 of 1943. Appointing Andrea G. Woods as acting City Attorney and Mr. Mark Leverett as Assistant City Attorney.

Mayor Hays congratulated Mrs. Andrea G. Woods on her appointment as the first female City Attorney of the City of North Little Rock. Mrs. Woods introduced Mr. Mark Leverett, Assistant City Attorney.

Mayor Hays recognized the two new City Council members, Alderman Neil Bryant, Ward 1, and Alderman John Parker, Ward 3. Mr. Bryant is a former member of the Airport Commission and the Parks Commission. Mr. Parker is a former member of the Planning Board of Adjustment. Mayor Hays welcomed Aldermen Thomas and Hight to their new terms.

Mayor Hays invited Mr. Dean Edwards to come forward. Mr. Edwards has served as Chairman of the North Little Rock Sertoma Club Christmas Parade for many years. Alderman Hight also came forward to represent the North Little Rock Sertoma Club. Mr. Edwards thanked numerous city employees and others for their assistance with the event. Mr. Edwards said this was his 21st Parade. Mr. Edwards introduced Miss Megan Scott from the Chamber of Commerce who assisted him in passing out trophies.

Parade trophy winners include:

Boy Scouts Award	1 st Pack 87 BSA - North Little Rock First United Methodist Church	
Sertoma Special Award	1 st Arkansas Home Care for Seniors	2 nd Red Hat Glitzy Girls
Sertoma Special Award	1 st Melrose Community Outreach	
Best School Entry	1 st Pulaski Technical College	
Best Rural Fire Truck	1 st Scott Volunteer Fire Department	2 nd East Pulaski County Fire/Rescue
	3 rd McAlmont Fire Department	
Best City Fire Truck	1 st North Little Rock Fire Department	
Best Marching Group	1 st AR National Guard Youth Challenge	2 nd NLRHS JROTC Marching Unit
Best Municipality	1 st North Little Rock Visitors Center (tie)	1 st North Little Rock Animal Control (tie)
	2 nd North Little Rock Electric Department	
Drill Team/Cheerleaders	1 st Panthers Cheerleaders	
Best Antique Fire Truck	1 st North Little Rock Fire Department IIAF Local #35 - 31 Model Seagrave Fire Truck	
	2 nd Little Rock Fire Department - 1934 American La France	
Best Business Commercial	1 st Center Point Entergy	2 nd Union Pacific Employee Club
	3 rd Jenkins Enterprises	
Best Dance/Musical Entry	1 st Broadway Stars - "Locol Motion"	
Best Dance Performing Group	1 st Ms. Karen's Dance Studio	
Best Horse Riding Club	1 st No Limit Riding Club	2 nd B & M Riding Club
Best Commercial/Business	1 st North Little Rock Chamber of Commerce	2 nd Central Arkansas Transit Trolley
	3 rd Hot 96.5 Excursion	
Girl Scouts	1 st St. Mary's Girl Scouts	2 nd Girl Scout Troop #759
	3 rd Girl Scouts of North Hills Service Unit	
Best Auto Group	1 st Central Arkansas Cruisers	2 nd British Motoring Club of Arkansas
Best Club Entry	1 st Arkansas Dirt Riders	
Best Beauty Entry	1 st North Little Rock Miss All Star Youth - 2005	
Special Civic Award/Performing Group	1 st Panther's Football and Cheerleaders	
Best Non-School Performing Group	1 st Anderson's Taekwondo Center	
Best Miscellaneous Entry	1 st North Little Rock Citizens Fire Alumni	
	2 nd North Little Rock COP Citizens Police Academy Alumni	
	3 rd North Little Rock Parks and Recreation	
Best Church Float	1 st Sweet Sounds/Gingerbread Children Choir	2 nd Joyful Noise - First Pentecostal Church
	3 rd St. Matthews Church of God in Christ	

Chairmans' Choice
Mayor's Cup

Ms. Karen's Dance Studio
EMOBA "Magic of Christmasville"

Mayor Hays invited Ms. Patsy Gary, Modern Woodmen of America to come forward. Ms. Gary said the Mayor's Youth Council has volunteered over 8,000 hours during the past year, with each youth contributing over 100 hours. The newest member of the group is a Russian exchange student who has already donated 75 volunteer hours since the start of school. Ms. Gary presented a plaque to members of the Mayor's Youth Council recognizing their accomplishments and contributions to the community.

Mayor Hays convened a public hearing at 7:37 p.m. regarding O-05-03, making it unlawful to park or permit a vehicle to stand in areas zoned residential except in driveways. Without objection, O-05-03 was read. Alderman Hight advised residents of his ward expressed a concern while he was campaigning regarding people parking vehicles in residential yards. Alderman Hight said the purpose of the ordinance is to encourage people to take pride and responsibility for their property. Mr. James Ard owns four (4) vehicles and is unable to park all of them in his driveway, he is also unable to park them on the street due to a fire hydrant. His neighbor cannot park all of his vehicles on the street either. If they did, it would create a hazard for emergency vehicles passing by. Mr. Ard said he saw a residence with backhoe equipment parked in the yard and asked if that equipment along with trailers would be excluded from yards as well. Mrs. Joann Baker, Rose City Property Owners Association supports the legislation and said future building permits should include parking plans. Alderman Thomas asked if Mrs. Baker was representing the Property Owners Association. She advised members had discussed this concern but had not formally voted on the issue. Mayor Hays encouraged groups to discuss this and present their opinions at the next council meeting. Ms. Betty Nash lives in Levy and advised many people in her neighborhood have 50' frontage and no driveways. Prohibiting yard parking in all areas of the city would be a problem for them and asked the council to consider exceptions to the prohibition. Mr. Sam Baggett, said the proposal is a good idea and could work in Wards 1 and 4, but would not be good for Ward 2 or 3. Mr. Baggett said a lot of areas in the city do not have driveways. There being no one else wishing to be heard, Mayor Hays adjourned the public hearing at 7:49 p.m. Alderman Gipson said city-wide legislation may not be possible. However, due to recent legislation, residents could submit petitions to request parking regulations in specific areas of the city. Alderman Gipson said backyard parking could be a solution. Alderman Hight then withdrew the legislation.

UNFINISHED BUSINESS

None

NEW BUSINESS

R-05-01

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH ARKANSAS RIVER CRUISES LLC, TO LEASE CERTAIN PORTIONS OF RIVERFRONT PARK; AND FOR OTHER PURPOSES, was called and held at the request of the sponsor, Mayor Hays. Mayor Hays recognized Mr. Jim Bob and Mrs. Sally Lum and Mr. Roger O'Dell and advised he has been visiting with them regarding the proposal. Another entity has approached the city regarding a similar lease. Mayor Hays will meet with both groups. It is hopeful that a vessel would be here by Spring 2005. If necessary, a Special Council meeting will be called.

R-05-02 (RESOLUTION NO. 6701 - MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 142 SAUNDERS IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE, AND FOR OTHER PURPOSES, was read (owner Bret and Christina Longinotti). Mayor Hays convened a public hearing. Mr. Bret Longinotti purchased the property eight (8) months ago. He has been working on the interior and roof of the house. A lot of material was placed in the yard and covered with a tarp. City officials informed him the debris was a problem. He has worked on cleaning up the property and brought pictures showing improvements of the condition of the surrounding area. Mr. David Schacklin, Code Enforcement said Mr. Longinotti has not stayed in contact with Code Enforcement. Mr. Schacklin provided photographs taken at noon this date. Mr. Longinotti produced photos taken approximately two (2) hours before the council meeting. Alderman Thomas asked if Mr. Longinotti could put up a bond guaranteeing the property would be rehabilitated. Mr. Longinotti said the money for the bond could be used for siding for the house. Mr. Schacklin said when the legislation is adopted, Mr. Tom Wadley, Interim Code Enforcement Director would meet with Mr. Longinotti to set up a schedule regarding his plans for the property. If Mr. Longinotti failed to rehabilitate the property, the \$5,000.00 bond would be forfeited. Alderwoman Robinson said the owner has had eight (8) months but has not made a lot of progress and is concerned with the delays. Mayor Hays asked what the time frame would be regarding this condemnation. On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-05-03

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 30 CORONADO CIRCLE IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE, AND FOR OTHER PURPOSES, was called (owner the estate of Porter Jenkins). A public hearing was scheduled for January 24, 2005, at 7:05 p.m. The legislation was then held at the request of the sponsor, Alderman Witcher.

O-05-01 (ORDINANCE NO. 7687 - MAYOR HAYS)

AN ORDINANCE CREATING AND ESTABLISHING THE NORTH LITTLE ROCK RESIDENTIAL DESIGN REVIEW BOARD; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-5-02 (ORDINANCE NO. 7688 - ALDERMAN THOMAS)

AN ORDINANCE ALLOWING A SPECIAL USE FOR A DAY CARE CENTER IN AN R-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 617 HICKORY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN

EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-05-03

AN ORDINANCE MAKING IT UNLAWFUL TO PARK OR PERMIT A VEHICLE TO STAND IN AREAS ZONED RESIDENTIAL EXCEPT IN DRIVEWAYS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time. A public hearing was held this date (see above). The legislation was then withdrawn at the request of the sponsor, Alderman Hight.

O-05-04

AN ORDINANCE REPEALING ORDINANCE 7266; INCLUDING A PLANNED BRIDGE ON FAIRWAY OVER FIVE MILE CREEK IN THE MASTER STREET PLAN; AND FOR OTHER PURPOSES, was read one time and held at the request of the sponsor, Alderman Hight. A public hearing was scheduled for Monday, January 24, 2005, at 7:05 p.m. Mayor Hays advised the legislation is a proposal to place the Fairway Bridge back on the Master Street Plan. Mayor Hays said he would allow anyone present who wanted to speak regarding the proposal to do so at this time. Mr. Billy Short lives on Kohler Avenue in Sherwood and said this street would provide the shortest route to Warden Road. This would increase traffic on his street, however he is 100% for putting the bridge back on the Master Street Plan. Mr. Thurman Booth lives in Sherwood and supports putting in the bridge on Fairway as it would help with parking problems at his church. Ms. Diane Wolfe lives on Big Creek in Sherwood which is on the back side of the Overbrook Subdivision, Fairway runs behind her property which she purchased because of the dead-end, quiet street. The Sherwood City Council recently passed an ordinance which would provide funding for the infrastructure (to be reimbursed by the developer). Ms. Wolfe said people on Fairway and in Sherwood do not want the bridge as it would increase traffic in their area. Mr. Mike Mosley's family lives at 710 Fairway in Sherwood, he lives in Overbrook. Fairway in North Little Rock is bigger than Fairway Road in Sherwood which is two-lane to Country Club. There is a ditch on both sides of the road and there are no sidewalks, the road is also narrow. Children use the swimming pool in Sherwood during the summer. He is concerned about the increase of traffic and the danger it could cause the children. Traffic on the access road and North Hills Boulevard have not been a problem for him. The property value for properties along Silvercreek Road would be affected. Mr. Tom Woods is the Pastor of Central Baptist Church and a resident of North Little Rock. His church is located on the corner of Fairway and Somers and has recently undergone construction and expansion. He is in support of the Fairway Bridge and said it is also the desire of members of his church (1,800). The church owns land across the creek in Sherwood which could be used for additional parking for church members, many who live in Sherwood. Coming from Warden Road to attend church, would require members to go over the interstate to return home due to the one-way changes to the access roads. Mr. John Sims lives in North Little Rock approximately two (2) blocks from the Baptist Church and said unless there is evidence that the change five (5) years ago was a mistake, it should be left alone. Mr. Pete King lives on Valley Brook. The new highway has increased traffic in the area making it difficult to access the frontage road from Somers. This would create a main thoroughfare and cause traffic problems for them. Most of the properties in the area have three (3) to four (4) cars each. He is against the change and asked the council to review this in several years. Mr. John Adams owns a house on North Hills Boulevard which he is trying to sell. His ability to sell his property has been affected by the traffic on North Hills Boulevard. If the Fairway Bridge could be built and some of the traffic rerouted, it would help with the traffic flow and his ability to sell his property. Ms. Jo Melton spoke to the council five years ago when Aldermen Spinelli and Witcher sponsored legislation to remove the bridge from Fairway. Ms. Melton said the neighborhood came together to show support for removing the bridge. Ms. Melton filed a petition five years ago that contained 560 signatures of people who did not want the bridge. The people who live in the area should have more say than those who do not live in the neighborhood. Two land developers have sued the city regarding this issue and asked the council to table the matter or wait for the ruling of the court. Ms. Melton served on a committee for Metroplan regarding the reconstruction of Highway 67/167. The committee said Warden Road being changed to one-way would help with safety in the area. If the Fairway connection were created, it would create a traffic problem with regard to people trying to get to the state highway system. Ms. Melton said she will circulate petitions again if necessary and begged the council to not change the Master Street Plan. Ms. Anne Croft lives on the other side of Highway 107 where over 500 houses have been built since 2000. A lot of people come down North Hills to avoid the congestion along Highway 107. North Hills Boulevard is backed up for many blocks in the evening. A lot of people are turning on Highway 107. She supports reducing the traffic congestion on North Hills. Mrs. Jan King lives in the Lakewood/Northeast Addition. If the bridge is put in, the traffic will be directed from the frontage road into the residential neighborhoods. Ms. Linda Danceler lives on Somers Avenue. Traffic in their area has increase a lot from the frontage road. Safety and traffic continue to be issues. Fairway is a steep incline. They only have one exit from their area. Putting the bridge in would funnel a lot of traffic to McCain, which is already a problem and advised she is against the proposal. If the residents could be insured of traffic, safety and speed controls, it could make a difference. Mayor Hays asked members of the audience to in favor of the Fairway Bridge to stand, and those opposed to stand.

PUBLIC COMMENTS-----

Alderwoman Robinson asked the status of a development on Saunders and Campbell Road which would include modular homes. Mr. Robert Voyles Planning Director advised Mr. J. J. Wheeler is the developer and is now proposing stick-built housing. The drainage issue is currently being considered. Mayor Hays advised council member now have an email address through the city website and will be working with the council members on retrieving their email. Mr. Bob Ward, Public Works Director said Alderman Berry had concerns regarding sanding on MacArthur Drive. The area in questions was the responsibility of the Arkansas State Highway Department. Mr. Ward said if the city could expand its coverage area, it would be able to be more proactive in the future. Mr. Bobby Taylor spoke regarding the modular home and said he would continue to address the council until the problem is resolved. Mr. Taylor asked the status of the Special Use on Water Street. Mr. Taylor also expressed concern regarding the council taking away public comment time. Ms. Jo Ann Thompson asked if the council could come up with an agreement stating that Pit Bull owners would not breed their dogs living within the city limits, as spaying their dogs would eliminate them from being show dogs. Mr. Alfred Baldwin lives in Ward 3. Mr. Baldwin wanted to know if the holes on his street from work performed by the Waste Water Department would be repaired. Mayor Hays asked Mr. Baldwin to talk to Mr. Ward. Mr. Baggett complemented the city on working during the ice and snow storm before Christmas and said the streets were clean and clear and traffic was flowing.

There being no further business to come before the Council, and on the motion of Alderman Witcher and seconded by Alderman Gipson, and by consent of all members present, the meeting adjourned at 9:00 p.m. (8/0), until the next regular meeting to be held on Monday, January 24, 2005, at seven o'clock p.m. in the City Council Chambers, City Hall, North Little Rock, Arkansas.

APPROVED:

MAYOR PATRICK HENRY HAYS

ATTEST:

DIANE WHITBEY, CITY CLERK